

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

February 14, 2017

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667

5:00 P.M. Closed Session

6:00 P.M. Open Session

5:00 P.M. CLOSED SESSION

- Item 1.** Conference with Legal Counsel – Liability Claims
(Government Code § 54956.95)
Claimant: Darlene Phillis
Agency claimed against: City of Placerville
- Item 2.** Conference with Legal Counsel – Liability Claims
(Government Code § 54956.95)
Claimant: Mary Crosby
Agency claimed against: City of Placerville
- Item 3.** Conference with Legal Counsel – Liability Claims
(Government Code § 54956.95)
Claimant: Paul Nielsen
Agency claimed against: City of Placerville
- Item 4.** Public Employee Appointment: Chief of Police
(Government Code § 54957)

6:00 P.M. OPEN SESSION

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

The Mayor called the meeting to order at 6:01 P.M. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: **Present: Acuna, Borelli, Clerici, Thomas, Wilkins**

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

3.1 Brief Comments by City Council

The Council expressed their gratitude towards the citizens of Placerville and City staff for their efforts during the recent storms.

Vice-Mayor Thomas thanked community members, law enforcement personnel, and the professional personnel who had taken part in the day-long interview process for the Chief of Police position. She offered special recognition to Secretary to the City Manager, Erin Strawn; and Interim Chief of Police, Daniel Drummond, for their support.

Councilmember Wilkins thanked the Soroptimists for the recent Chocolate Affair fundraiser.

Mayor Clerici announced the upcoming Joint Meeting of the Placerville City Council, Recreation & Parks Commission, and Planning Commission. The City Manager noted that it will take place at 6:00 P.M. at Town Hall on February 22, 2017. The Park Master Plan will be discussed.

Mayor Clerici also reminded the public that the application deadline for the Commissions and Committees is February 15th, at close of business.

3.2 Acknowledge and File the Worker's Compensation Trending Report (Mr. Warren)

The Director of Finance introduced Dori Zumwalt, Senior Account Manager from York Risk Services Group, who presented a Worker's Compensation Trending Report for the City. Councilmember Acuna requested to see the trending report on an annual basis. No public comment was received on the item.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney reported that, with all council members present, the claims of Paul Nielsen and Darlene Phillis were rejected. He stated no action was taken on the claim of Mary Crosby or the public employee appointment item.

5. ADOPTION OF AGENDA

Mayor Clerici moved Item 12.2 to be placed after the adoption of the Consent Calendar. Requiring a four-fifths vote, the City Manager requested an emergency item staff report be added to the evening's agenda. It was moved by

Councilmember Acuna and seconded by Vice-Mayor Thomas that the City Council allow for the inclusion of the staff report to the agenda (Item 12.5). The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None

It was then moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt the Agenda as modified. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None

6. CEREMONIAL MATTERS

No ceremonial matters were scheduled.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communications

The City Manager noted that written communication had been received regarding Item 12.1.

Mayor Clerici noted that a second item of written communication had been received regarding Item 12.1.

7.2 Oral Communication

Oral communication was received from Sue Rodman regarding a suggestion for the improvement of the City's wastewater delivery system to the treatment plant.

8. CONSENT CALENDAR

NOTE: All matters listed under the Consent Calendar are considered routine and will be enacted by one motion by roll call vote unless any member of the Council wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Councilmember requests otherwise.

8.1 Approve the Minutes of the Regular City Council Meeting of January 24, 2017 (Ms. O’Connell)

Approved the Minutes of the Regular City Council Meeting of January 24, 2017.

8.2 Approve the Accounts Payable Register for February 8, 2017 (Mr. Warren)

Approved the Accounts Payable Register for February 8, 2017

8.3 Approve the Payroll Register for Pay Periods 14 and 15 (Mr. Warren)

Approved the Payroll Register for Pay Periods 14 and 15.

8.4 (1) Acknowledge and file the Measure J financial report for the quarter ended June 30, 2015; and

(2) Acknowledge and file the Measure J financial report for the quarter ended June 30, 2016 (Mr. Warren)

Acknowledged and filed the Measure J financial report for the quarters ended June 30, 2015 and June 30, 2016.

8.5 Adopt a Resolution:

1.) Authorizing the Director of Community Services to purchase eight new bollard bike racks in the amount of \$1,335.20 from Belson Outdoors; and

2.) Appropriating \$1,335.20 from TDA Article 3 Fund for the purchase of these bike racks; and

3.) Directing City Staff to install bike racks at specified locations on Main Street, Town Hall and the Downtown Parking Garage (Mr. Youel)

Resolution No. 8492

Adopted a resolution for the following actions:

1.) Authorizing the Director of Community Services to purchase eight new bollard bike racks in the amount of \$1,335.20 from Belson Outdoors; and

2.) Appropriating \$1,335.20 from TDA Article 3 Fund for the purchase of these bike racks; and

3.) Directing City Staff to install bike racks at specified locations on Main Street, Town Hall and the Downtown Parking Garage.

Public comment was received from Sue Rodman. It was moved by Councilmember Acuna and seconded by Councilmember Wilkins that the City Council adopt the Consent Calendar as presented. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSE NT: None
 ABSTAIN: None

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

10. ORDINANCES

10.1 Waive the second reading and adopt an Ordinance amending Title 9, Chapters 1, 3 & 4 of the Placerville Municipal Code related to Parking (Mr. Morris)

The City Manager explained the item noting a recent omission and change of language to the proposed ordinance since its introduction at the January 24th meeting. He then requested, because the changes were significant, Council's approval to re-introduce the ordinance and waive the first reading. Staff would return at the next regularly scheduled City Council meeting to request a second reading and adoption of the ordinance. No public comment was received. Following Council discussion, it was moved by Vice-Mayor Thomas and seconded by Councilmember Wilkins to introduce and waive the first reading of an ordinance amending Title 9, Chapters 1, 3 & 4 of the Placerville Municipal Code related to Parking.

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSE NT: None
 ABSTAIN: None

10.2 Introduce and waive the first Reading of an Ordinance amending Title 10 Placerville Zoning Ordinance, Chapter 4 General Regulations adding Section 10-4-19 Sidewalk Dining to the City Code (File # ZC 2016-02) to allow and regulate outdoor sidewalk dining areas within the public right-of-way (Mr. Rivas)

The Director of Development Services introduced the item. Public comment was received from Peter Wolfe, Steve Smart, and Christy White. Christy White, Project Director for the El Dorado County Tobacco Use Prevention Program, offered “goodie packets” to the Council consisting of materials that supported no smoking zones and other materials of appreciation for not smoking. Following Council discussion, it was moved by Vice-Mayor Thomas and seconded by Councilmember Borelli that the City Council introduce and waive the first reading of an ordinance amending Title 10 Placerville Zoning Ordinance, Chapter 4 General Regulations, adding Section 10-4-19 Sidewalk Dining to the City Code (File # ZC 2016-02) to allow and regulate outdoor sidewalk dining areas within the public right-of-way.

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None

11. PUBLIC HEARINGS

- 11.1 (1) Waive the second reading of an Ordinance Amending the City of Placerville's Zoning Map that would add the Housing Opportunity (HO) Overlay Zone to the existing Commercial (C) on Assessor's Parcel Numbers 323-570-01 and 323-570-37, located along Middletown Road, Cold Springs Road, and Placerville Drive (file: ZC 16-04); and**
(2) Adopt said Ordinance (Mr. Rivas)

Ordinance No. 1687

The Director of Development Services explained the item. No public comment was received. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council:

- (1) Waive the second reading of an Ordinance Amending the City of Placerville's Zoning Map that would add the Housing Opportunity (HO) Overlay Zone to the existing Commercial (C) on Assessor's Parcel Numbers 323-570-01 and 323-570-37, located along Middletown Road, Cold Springs Road, and Placerville Drive (file: ZC 16-04); and*
(2) Adopt said Ordinance

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None

11.2 C & H Auto Appeal – Recommendation by Staff that this item be continued to the regularly scheduled City Council meeting of February 28, 2017 (Mr. Rivas)

The Director of Development Services requested a continuation of the item. No public comment was received. It was moved by Vice-Mayor Thomas and seconded by Councilmember Acuna that the City Council continue the item to the regularly scheduled City Council meeting of February 28, 2017. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None

12. DISCUSSION/ACTION ITEMS

12.1 Direct Staff on how to proceed with “SOL” Community Farmers Market held at the Fox Lot located at 241 Main Street, Placerville (Mr. Youel)

The Director of Community Services explained the item. Public comment was received from Elizabeth Velasco, Mark O’Connell, Eric Macida, Greg Henry, and Kirk Smith. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council direct Staff to consider the Tetrault Parking Lot as a new location for the Market.

AYES: Acuna, Borelli, Clerici, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None
 RECUSED: Thomas

12.2 Adopt a Resolution:

1.) Approving a \$17,914 budget appropriation from the General Fund unassigned fund balance to complete Phase II of the Monument Garden Project located on the corner of Bedford and Main Street (CIP #41707); and

2.) Approving an agreement with Chapman Monument Company in the amount of \$31,025 for the construction of the said project. (Mr. Youel)

Resolution No. 8493

The Director of Community Services explained the item. Public comment was received from Kathi Lishman and VFW Post 10165, Adjutant Dave Sauvé. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a resolution:

1.) Approving a \$17,914 budget appropriation from the General Fund unassigned fund balance to complete Phase II of the Monument Garden Project located on the corner of Bedford and Main Street (CIP #41707); and

2.) Approving an agreement with Chapman Monument Company in the amount of \$31,025 for the construction of the said project.

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins

NOES: None

ABSENT: None

ABSTAIN: None

12.3 Adopt a Resolution amending Resolution No. 7880 and establishing the Measure L Transactions and Use Tax committee (Mr. Morris)

Resolution No. 8494

The City Manager explained the item. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Vice-Mayor Thomas and seconded by Councilmember Acuna that the City Council adopt a resolution amending Resolution No. 7880 and establishing the Measure L Transactions and Use Tax committee. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins

NOES: None

ABSENT: None

ABSTAIN: None

12.4 Adopt a Resolution:

1.) Approving Contract Change Order (CCO) #s 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 in the total amount of \$253,307.46 with Doug Veerkamp General Engineering (DVGE), Inc. for the Pardi Way/Big Cut Road/Sacramento Street Area Waterline Replacement Project -

Waterline Replacement on Chamberlain Street and Sacramento Street (CIP #41109); and

2.) Approving Consulting Services Agreement Amendment #1 with REY Engineering, Inc. in an amount not-to-exceed \$71,588 for additional construction management services; and

3.) Approving a budget appropriation in the amount of \$222,496 from the Water Enterprise Fund Operating Reserve for the said project (Mr. Rivas)

Resolution No. 8495

The City Engineer explained the item. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

1.) Approving Contract Change Order (CCO) #s 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 in the total amount of \$253,307.46 with Doug Veerkamp General Engineering (DVGE), Inc. for the Pardi Way/Big Cut Road/Sacramento Street Area Waterline Replacement Project - Waterline Replacement on Chamberlain Street and Sacramento Street (CIP #41109); and

2.) Approving Consulting Services Agreement Amendment #1 with REY Engineering, Inc. in an amount not-to-exceed \$71,588 for additional construction management services; and

3.) Approving a budget appropriation in the amount of \$222,496 from the Water Enterprise Fund Operating Reserve for the said project

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins

NOES: None

ABSENT: None

ABSTAIN: None

12.5 Adopt a Resolution confirming the Proclamation of a State of Emergency declared by the City Manager on February 10, 2017 and continuing the State of Emergency through February 28, 2017 (Mr. Morris)

Resolution No. 8496

This item was approved by a four-fifths vote to be included on the agenda. See Item 5, Adoption of the Agenda. The City Manager explained the item. Public comment was received by Kirk Smith. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Acuna that the City Council adopt a resolution confirming the Proclamation

of a State of Emergency declared by the City Manager on February 10, 2017 and continuing the State of Emergency through February 28, 2017. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins
 NOES: None
 ABSENT: None
 ABSTAIN: None

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

- **El Dorado County Transit Authority** – Councilmember Borelli reminded the public that the Connect Card is now available.
- **El Dorado County Transportation Commission** – Mayor Clerici reported that a semi-annual project update had been given at the meeting and stated that he had recently attended a Senate hearing on SB-1 (transportation funding) and addressed concerns with Senator Jim Beall and Assemblyman Jim Frazier regarding the bill's impact on rural communities.
- **LAFCO** – Councilmember Acuna reported that the next meeting will take place February 22, 2017.
- **SACOG** – Mayor Clerici reported that the next meeting will take place February 16, 2017.
- **SEDCorp.** – Councilmember Borelli reported that the agency is still meeting, however, there have been recent cancellations.
- **Two by Two** – No report.

14. REQUESTS FOR FUTURE AGENDA ITEMS – (Requests for Future Agenda Items Requires a Majority Concurrence of the Council)

No agenda items were requested.

15. CITY MANAGER AND STAFF REPORTS

15.1 Keeping of Chickens Ordinance – Three Month Report (Mr. Rivas)

The Director of Development Services provided an update to Council. Public comment was received from Kirk Smith.

At this time, the Interim Chief of Police, Daniel Drummond, provided an update to Council regarding a recent robbery in Folsom, which led to the arrest of five Placerville residents. He commended the efforts of Commander Joseph Wren and the officers of the Placerville Police Department.

15.2 Acknowledge Interview Date(s) for Committees and Commissions (Ms. O'Connell)

The City Clerk explained the item. Following brief discussion, it was agreed upon by the City Council to hold the interviews for the Planning Commission and Recreation & Parks Commission on Wednesday, March 1, 2017, at 6:00 P.M. at Town Hall.

15.3 Storm Report (Mr. Morris)

The City Manager provided a slideshow update on the events of the recent storms and shared plans that were in place, and other information, to help facilitate the needs of the City and the public facing the next storm.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting on February 28, 2017, include: 2016 Fire Code/Administration Citation Program Fees, adoption of a Resolution of Intention (ROI 17-01) to initiate amendments to Title 10 (Zoning Ordinance) of the City Code regarding regulations of accessory (secondary) dwelling units within the City, Unified Confidential and Supervisory Employees Unit (UCASE) Memorandum of Understanding (MOU).

17. ADJOURNMENT at 8:58 P.M.

The next Regular Council meeting will be held on February 28, 2017, 5:30 P.M. Closed Session; 6:00 P.M. Regular Session.